

REMARKS

In the Office Action mailed December 30, 2005, claims 27-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pirovano (EP 0491069 A1) in view of Yamagishi (USPN 6,370,143). For the reasons that follow, Applicants traverse the stated rejections.

In the Office Action mailed April 22, 2005, the Examiner acknowledged that Pirovano does not explicitly teach conditional updating of the database (page 5 lines 5-6). The main drawback of the Pirovano process, therefore, is the limitation on databases addressing. In Pirovano, each database comprises a unique identifier used for addressing, thus when a great number of these databases have to be updated, they have to be addressed sequentially which needs an important information stream.

The present invention addresses the shortcomings of Pirovano by providing a process that allows transmission of messages to a set of subscribers that is not defined in advance. In the claimed invention a managing center communicates with the distributed databases, and the messages carry out the updating of the database in a conditional way according to its content, i.e. to the useful data. This allows carrying out complex operations on the useful data of each subscriber in order to determine whether a program is effectively destined to this subscriber's database.

Furthermore, in order to minimize the number of messages to transmit, Pirovano proposes the creation of a predetermined group by attributing a group identifier to a set of selected terminals. The transmitted message contains the group identifier and only the terminals having this identifier will be updated.

The process of the present application allows creating dynamically a group without knowing in advance the addresses of the members but by defining them according to the useful data contained in their databases. For example, a message such as “offer the right to view the return football match Y-X only if an equivalent right has been acquired for the away match X-Y” will affect only the group of terminals from which “an equivalent right has been acquired for the away match X-Y”. It is then not necessary to determine in advance the addresses of the terminals and to attribute them a group identifier because such a message acts in function of the useful data in the database and not in function of system data. The number of members of this group is basically not known by the managing center contrarily to Pirovano where a fixed group is determined by selecting the members according to their address.

Persons skilled in the art cannot deduce from Pirovano the solution of the present invention because the messages sent to the subscriber’s databases have to be individually addressed for each destination database. The updating is executed only when the received identifier corresponds to the one of the database (comparison of system data), the other databases with another identifier ignoring the message. The useful data are not taken in account and neither comparison nor action is then carried out with these data and the one of the message.

Pirovano does not solve the problem of the risk to overload the system resulting from the updating of a large quantity of databases. In fact a large number of messages become necessary until all databases have received a message with a correct address.

The Yamagishi document describes a server creating at least update report data, which is data not containing update data and in which information indicating that data has been updated is arranged. The server transmits the update report data over a unidirectional broadcasting network. When receiving the update report data, a receiver transmits a request for the update

data, concerning which the fact that data has been updated is reported by the update report data, over a communication network enabling bi-directional communication. The server retrieves the update data corresponding to the request from a database, and transmits it to the receiver over the communication network. If many users are concerned (high audience) the update data may be transmitted via the broadcasting network otherwise it is transmitted via the communication network (col. 8 lines 40 to 58).

The Yamagishi system needs a bi-directional communication between server and receivers because a receiver has to send a request for update to the server after receiving the update report data (col. 8 lines 30 to 39). In such request, one can reasonably assume there is an address or an identifier of the receiver so that the server knows, in combination with the data retrieved from its database, which receiver needs to be updated. Furthermore the structure of the update data and the transmission channel depends on the audience (number of receivers concerned) which is determined with the number of requests received by the server.

In Yamagishi there is no indication that the database of the receivers is modified with the update report data which only generates a request for update if the receiver needs it.

In the present invention the databases of the receivers have a different behavior, depending on their content, at reception of the message which is the same for each receiver. The latter do not send any request, so that a return channel is not necessary (unidirectional transmission from server to receiver).

In Yamagishi, the receivers send or not requests at reception of the update report data without any changes in their database at update report data reception. The decision of sending a request or not is taken on the basis of system data (data identifiers, see for example col. 15 line

64 to col. 16 line 13, step S33) not on the basis of useful data (content of receiver's data base) as in the present invention (see also, applicants' comments on Pirovano above).

The updating of the receivers in Yamagishi cannot be considered "conditional" as that term is used in the present application. While the update may be made on request, it is not made with the instructions of the message itself leading to the analysis of the content of the receiver's database before updating.

A combination of Pirovano with Yamagishi document will give a system wherein the update report data are transmitted individually to each receiver which verifies the message conformity thanks to the system data. Then each receiver returns a request for update to the server, which will distribute update data individually to each receiver according to the request.

The drawback of such system is the important data exchange over the networks in both directions. The aim of the present invention is to minimize the data stream by sending an identical message to each receiver in an unidirectional way (server to receiver). The updating is then carried out individually at receiver side according to the useful data in receiver's database (conditional updating at database content level). Such local updating does not need any further request to the server as well as return channel.

This aim cannot be reached either with Pirovano system (individually addressing of the receivers needing at least as much messages as receivers) nor with Yamagishi system (bidirectional updating on request) nor with a mix of both documents (bidirectional updating on request with individually addressing of the receivers).

In view of the above, it is respectfully submitted that the claimed invention is not obvious by Pirovano in combination with Yamagishi. Favorable reconsideration of the amended application is therefore respectfully requested.

In the event that the Examiner is not inclined to allow claims 27-31, as amended, before issuing a final rejection, Applicants respectfully request the Examiner to notify the undersigned counsel by telephone, who will then request the Examiner to schedule an interview with the Applicants by telephone to discuss an appropriate way forward to obtain allowable claims covering the invention of the present application.

Respectfully submitted,

By: Timothy N. Thomas
Timothy N. Thomas
Reg. No. 35,714
Woodard, Emhardt, Moriarty, McNett & Henry LLP
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137
(317) 634-3456

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